

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date:	11/2/2023	Case Number:	5:23-cr-00133
Case Style:	USA vs. Andrew Fleshman		
Type of hearing:	Plea Hearing		
Before the Honorable:	2517-Volk		
Court Reporter:	Lisa Cook	Courtroom Deputy:	Sydney Whittington
Attorney(s) for the Plaintiff or Government:			
Monica Coleman, Christine M. Siscaretti, Matthew Tannenbaum			
Attorney(s) for the Defendant(s):			
Matthew Bradford			
Law Clerk:	Jade Hamilton		
Probation Officer:	Paradise Nelson		

Court Times

Start Time	End Time	Court Time Description
11:37 AM	12:18 PM	Non-Trial Time/Uncontested Time

Time in court: 0 hours and 41 minutes. Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled Start 11:30 a.m.

Actual Start 11:37 a.m.

Defendant present in person and by counsel.
 Counsel note appearances on the record.
 Defendant placed under oath.
 Court FINDS Defendant competent to go forward.
 Counsel for the United States summarizes plea agreement.
 Court DEFERS acceptance of plea agreement but ORDERS original plea agreement filed.
 Defendant waives reading of Information.
 Defendant pleads guilty to Count One.
 Defendant advised of right to be indicted.
 Defendant executes waiver of indictment; same witnessed by counsel.
 Court ACCEPTS waiver of indictment.
 Court reads statute with which Defendant is charged.
 Defendant advised of elements of offense which Government would have to prove at trial.
 Defendant gives his account of the offense.
 Government provides a proffer re: factual basis for the plea.
 Defendant advised of the penalties which may apply based upon the plea.
 Defendant advised of right to plead not guilty, to remain silent, and to stand trial.
 Defendant executes written guilty plea form; same ORDERED filed.

Court FINDS Defendant is competent and capable of entering an informed plea.
 Court FINDS sufficient factual basis for Defendant's plea.
 Court FINDS that Defendant understands the consequences of the plea.
 Court FINDS that Defendant understands the rights being given up.
 Court FINDS Defendant's plea to be voluntary.
 Court ACCEPTS plea.
 Court ADJUDGES Defendant guilty.
 Sentencing SCHEDULED for February 22, 2024 @ 10:00 a.m.
 Defendant RELEASED on bond, executed today pending sentencing.
 Court recessed at 12:18 p.m.